

City of Leesville
508 S. 5th Street
Leesville, LA 71446

Ordinance 4 of 2024

AN ORDINANCE TO AMEND AND CREATE A NEW ORDINANCE FOR DEVELOPMENT OF MANUFACTURED HOME, MOBILE HOME, HOUSE TRAILER, MODULAR HOME OR INTERNATIONAL BUILDING CODE APPROVED TINY HOMES OR PORTABLE BUILDINGS ON PROPERTY ZONED A-7, A-8 AND A-9 AND REPEAL ANY AND ALL OTHER ORDINANCE RELATED HERETO.

WHEREAS the City of Leesville Planning and Zoning presented RESOLUTION NO. 003-2024 to amend and create a new ordinance establish new rules and regulations described herein:

- 1. The City’s zoning ordinance is established and operated under the rules and regulations codified in Chapter 74 of the Leesville Code of Ordinances, and the City regulates development under its land use regulations in Chapter; and
- 2. After 24 months on March 25, 2024, the City Council ended the moratorium on manufactured home placement and development. In a special meeting called by the chairman of the Planning and Zoning Commission on April 19, 2024, the Commission was presented with an amendment to the ordinance, new regulations, and deletions for allowing manufactured home development in the future; and
- 3. The Leesville Planning and Zoning Commission hereby reviewed and recommend to the Leesville City Council to align the ordinance for development of a manufactured home, mobile home, house trailer, modular home or International Building Code approved tiny homes or portable buildings on property zoned A-7, A-8 and A-9 only with the attached amendments; and
- 4. This foregoing resolution reflects action taken by the Leesville Planning and Zoning Commission at a special meeting held on the 19th day of April 2024 attached herewith.

WHEREAS the City of Leesville Planning and Zoning now desires Council approval to adoption this ordinance to be made a part of the City Code of Ordinance in part or whole AND repeal any and all other ordinances related hereto.

THEREFORE, BE IT ORDAINED, that the Leesville City Council, hereby, consider and adopt this ordinance upon the recommendation of the Leesville Planning and Zoning Commission.

THUS DONE AND ADOPTED on the 13th day of May during a regularly scheduled meeting by the City Council of the City of Leesville.

This ordinance was introduced on April 22, 2024 during a regular meeting and after a public hearing on May 13, 2024, this ordinance will be adopted on May 13, 2024 during a regular meeting if no opposition.

Moved by Councilmember Kennedy and seconded by Councilmember Hunt with following roll call votes:

<u>Councilmembers:</u>	
Chris Robertson	Yea
Willie Kennedy	Yea
Nicole Ybarra	Absent
DeLain P. Prewitt	Yea
Alice Guess	Yea
Phillip Hunt	Yea
Mayor Allen	Yea

ATTEST:

/s/Sonny Harrell
City Clerk

/s/Rick Allen
Mayor

Introduced: 4/22/2024
Date of Signature: 5/13/2024

Adoption: 5/13/2024
Date Received: 5/13/2024

Amendments

Red is for additions.

~~Strike Throughs are for deletions.~~

Conditional Use Permitting for Manufactured Home on Single Lot

March 26, 2024

City of Leesville
Planning and Development Department
Grant Bush, Planning Director

Sec. 74-1. - Zoning and land use regulations, definitions.

For the purpose of this article, the following words and phrases used herein shall have the meaning ascribed to them below:

Accessory building and use means subordinate building or a portion of the main building, the use of which is incidental to that of the main building or Land not used for a place of habitation or a living room, kitchen, dining room, parlor, bedroom, or library. An accessory use is one which is incidental to the main use of the premises.

Advertising signs means pertaining only to the lease, sale, or use of a lot or building on which placed and not exceeding a total area of 12 square feet; provided that on a lot occupied by a dwelling the total area of all signs shall not be more than two square feet for each dwelling unit. All other signs are prohibited in residential areas.

Agriculture means a farm of ten acres or more for the production of crops and livestock including greenhouse and nurseries for the raising of plants and sale of farm products raised on the premises but shall not be construed to mean the commercial processing of farm products such as slaughterhouses, canning plants, feed mills, etc.

Board means the board of adjustment established in Part X.

Building means any structure built for use of persons or animals.

Commission means the Planning and Zoning Commission of Leesville.

Conditional Use provide for a discretionary review of uses that are allowed, but do not meet the standards for administrative review.

- **Subdivision III. - A-7 Multifamily Urban District**

- **Sec. 74-35. - Permitted uses; prohibited uses; height regulations; area regulations; off-street parking.**

(a) *Permitted uses.* Uses permitted in A-6 district: multifamily dwellings; philanthropic uses; Conditional Use approval is warranted in zones A-7 for all manufactured homes, mobile homes, house trailers, modular homes or International Building Code approved tiny homes or portable buildings used for dwellings located on a separate lot which is owned by the occupant, and lodge halls.

(b) *Prohibited uses.* All uses not permitted herein.

(c) *Height regulations.* No building shall exceed 45 feet in height.

(d) *Area regulations.*

(1) *Yards.*

a. *Front yard.* Front building lines shall conform to the average building lines in a developed block but in no case shall it be less than 20 feet. When there is undeveloped land for a distance of 150 feet on both sides of a proposed building, the minimum building set back line shall be 25 feet from the established street right-of-way lines. On through lots, this minimum depth shall be provided on both streets.

b. *Side yard.* Same as for A-6 side yard.

c. *Rear yard:* Same as A-6 rear yard.

(2) *Lot size:*

a. There shall be a lot width of a minimum of 65 feet at the building line.

b. Every lot shall contain an area of not less than 7,200 square feet per family; where more than one family occupies the same building an additional 2,500 square feet per family is required.

(e) Off-street parking requirements as provided for in [section 74-140](#) et seq.

(Zoning Ordinance, §§ 2.201—2.205)

- **Subdivision IV. - A-8 High Density Urban District**

- **Sec. 74-40. - Permitted uses; prohibited uses; height regulations; area regulations; offstreet parking.**

(a) *Permitted uses.* Uses permitted in A-6 district: apartment motels; boarding houses; tourist courts; **Conditional Use approval is warranted in zones A-8 for all manufactured homes, mobile homes, house trailers, modular homes or International Building Code approved tiny homes or portable buildings used for dwellings located on a separate lot which is owned by the occupant**; beauty shops, provided such occupations are conducted in the main building and the persons conducting such occupation resides on the premises and that advertising signs not exceed one square foot and be non-illuminated; the expansion of existing home occupation use by not more than 25 percent of the area; boat rental; and trailer courts.

(b) *Prohibited uses.* All uses not permitted herein.

(c) *Height regulations.* No building shall exceed 45 feet in height.

(d) *Area regulations.*

(1) *Yards.*

a. *Front yard.* Front building lines shall conform to the average building lines in a developed block but in no case shall it be less than 20 feet. On through lots this minimum depth shall be provided on both streets.

b. *Side yard.* Same as A-6 side yard.

c. *Rear yard.* Same as A-6 rear yard.

(2) *Lot size.*

a. There shall be a lot width of a minimum of 50 feet at the building line.

b. Every lot shall contain an area of not less than 6,000 square feet per family; where more than one family occupies the same building an additional 1,500 square feet per family is required.

(e) Off-street parking requirements as provided for [section 74-140](#) et seq.

(Zoning Ordinance, §§ 2.301—2.305)

- **Subdivision V. - A-9 Apartment District**

- **Sec. 74-45. - Permitted uses; prohibited uses; height regulations; area regulations; off-street parking.**

(a) *Permitted uses.* Uses permitted in A-6 district: a apartments; row houses; and Conditional Use approval is warranted in zones A-8 for all manufactured homes, mobile homes, house trailers, modular homes or International Building Code approved tiny homes or portable buildings used for dwellings located on a separate lot which is owned by the occupant .

(b) *Prohibited uses.* All uses not permitted herein.

(c) *Height regulations.* No building shall exceed 45 feet in height.

(d) *Area regulations.*

(1) *Yards.* Same as A-6 except that the exterior walls of the building nearest the property lines shall be considered the front, side, and rear yard areas in condominium and other similar apartments with joint ownership or common property. That a front or rear yard which contains parking shall be a minimum of 40 feet in depth from said property line.

(2) *Lot size.*

a. There shall be a minimum lot width of 70 feet.

b. Every lot shall contain a minimum of 11,250 square feet and shall be increased by an additional area of 800 square feet for each unit in excess of four and 1,800 square feet for each ground level unit in excess of four.

(e) *Off-street parking regulations.* Provide one and one-half spaces for each living unit. (See [section 74-140](#) et seq.)

(f) *Statement of services.* There shall be presented to the commission a written statement from the fire department and utility companies serving the area assuring that adequate services are available or can be supplied.

(Zoning Ordinance, §§ 2.401—2.406)

in Residential Districts Zones A-7, A-8, and A-9

1. Spot Zoning is unwarranted for development of manufactured homes in the following zones: A-7, A-8, and A-9.
 - a.) A Conditional Use approval is warranted in zones A-7, A-8, and A-9 for all manufactured homes, mobile homes, house trailers, modular homes or International Building Code approved tiny homes or portable buildings used for dwelling purposes provided that each home(s) serving as a dwelling unit be located on a separate lot which is owned by the occupant of the home and which lot complies with the area requirements.
 - b.) Notification and response for manufactured homes, mobile homes, house trailers, modular homes or International Building Code approved tiny homes or portable buildings only. The applicant proposing to place a manufactured home, mobile home, house trailer, modular home or International Building Code approved tiny homes or portable buildings on property within the city shall obtain and complete an "application for a conditional use permit."
 - c.) Upon completion, the application shall be submitted to the planning and zoning commission for review and recommendation to the city council.

2. FINAL INSPECTION

- a.) The building inspector and/or the director of public works or their designated representative(s) shall inspect the proposed site and structure to verify that the applicant has met the following requirements, and shall certify to the commission, on a form whose contents are prescribed by the form attached to the ordinance from which this section derives the following:
 1. Mobile structure skirted, including the tongue.
 2. Mobile structure tied down in accordance with applicable rules and regulations.
 3. Mobile structure installed on the minimum permanent foundation.
 4. Sewer connection made directly into municipal utility system.
 5. Water connection made directly into municipal utility system.
 6. Structure clear of all utility easements.
 7. Parking spaces and driveway surfaced with a permanent dust-free paving.
 8. Final inspection approved before issuance of electrical permits.

3. PETITION OF RESIDENT PROPERTY OWNERS

- a.) Any applicant desiring to place a manufactured home, mobile home, house trailer, modular home or International Building Code approved tiny homes or portable buildings on property zoned A-7, A-8, and A-9 within the city in addition to the application for mobile home structure permit, as described above, shall show proof of manufactured date being ten (10) years or newer and obtain from the planning department an application with the outlined requirements. The planning department shall obtain from the assessor's office a list of the names and addresses of the owners of all properties within 600 feet of the property on which the applicant proposes to locate such mobile structure, and shall contact by certified letter stating the proposed project and date, location, and time of its public hearing. The petitioner's application

shall be submitted to the planning and zoning commission for recommendation to the city council to allow a conditional use permit for said development.

New Section 74-22: CONDITIONAL USE PERMIT

- 1. PURPOSE**-Within each zone district there are land uses permitted by right and land uses permitted only by approval of Conditional Use meaning a land use that, because of its unique characteristics or potential impact on the municipality, surrounding neighbors, or adjacent land uses, may not be compatible in some areas or may be compatible only if certain conditions are required that mitigate or eliminate the detrimental impacts. However, the use permit may be approved after public notice, public hearing, and subject to conditions which may limit or control the use.
- 2. Conditional Use Permit.** A Conditional Use Permit is a process for reviewing uses and activities that are typically compatible with other allowed uses within a zone but due to their nature require planning commission and city council consideration of site design and adjacent uses without changing zoning status. Conditional Use Permits provide for a discretionary review of uses that are allowed, but do not meet the standards for administrative review.
- 3. Conditional Use Permit.** The determination for a Conditional Use Permit shall be made by the city council upon recommendation by the planning commission based on the nature of the application and the policy issues raised by the project.
- 4. REQUIRED FINDINGS**-The following findings must be made by the Zoning Administrator or Planning Commission before the conditional use permit can be approved:
 - a.) The issuance of the permit is consistent with the General Plan;
 - b.) The proposed use would not be detrimental to the public health, safety and welfare, or injurious to the neighborhood; and
 - c.). The proposed use is specifically permitted by conditional use permit pursuant to this Title.
- 5. PROCESS**
 - a.) Applicant/agent prepares all required submittal information and makes an appointment to submit the application to Planning Commission.
 - b.) Planning Department performs site visit and meet on-site with the applicant/agent, if necessary.
 - c.) Certified letter submittal by the Planning Department to the 600-foot radius adjacent property owners is mailed out detailing the proposal and the public hearing date.
 - d.) Project is noticed in the local newspaper advertising the required 15-day public review period
 - e.) Proposal is present to the Planning Commission. If approved for recommendation, it will proceed to the City Council for final approval.
 - f.) An appeal may be filed by either the applicant or affected party within ten working days after decision

5. **TIMING**-Steps 1 through 6 are typically completed within 45 days. The remaining steps are more flexible depending on the complexity of the application. Most applications will reach public hearing in one month. If appealed, an additional 30 days will ensue.
6. **HEARING**-Applications must be heard by either the Planning Commission (conditional use permit applications), then by the City Council All public hearings are advertised in a local newspaper and notice is mailed to all property owners within a minimum 600-foot radius of the subject property.
7. **APPEALS**-If an appeal is made, the matter is heard at a public hearing of the City Council, depending on whether a conditional use permit, with notice given as described above. Said appeal is usually heard 30 days after Planning Commission decision.
8. **FEES**-Current application fees may be obtained by contacting Planning Department at (337) 404-4078.
9. **NOTE:** Should your application be denied, application fees are nonrefundable. Should you request withdrawal of the application before a decision has been made, you may receive only that portion of the fee which has not yet been expended. If the public hearing notice has been advertised, fees are nonrefundable.

• ~~Subdivision II A. A-6 MS Single-Family Urban District~~

• ~~Sec. 74-31. Permitted uses, prohibited uses, and other regulations.~~

~~(a) Generally.~~ In the A-6 MS residential district, manufactured homes, mobile homes, house-trailers, modular homes or portable buildings may be used for dwelling purposes provided that each home(s) serving as a dwelling unit be located on a separate lot which is owned by the occupant of the home and which lot complies with the area requirements of the A-6 MS district.

~~(b) Prohibited uses.~~ All uses not permitted herein [are prohibited].

~~(c) Height regulations.~~ No structures shall exceed 35 feet in height.

~~(d) Area regulations.~~

~~(1) Yards.~~

~~a. Front yard.~~ Front building line shall conform to the average building lines in a developed block, but in no case shall it be less than 25 feet. On through lots, this minimum front yard shall be provided on both streets.

~~b. Side yard.~~ There shall be two side yards, one on each side of the building having a minimum of five feet each.

~~c. Rear yard.~~ There shall be a rear yard having a depth of not less than 20 percent of the depth of the lot; provided, however that the depth of the required rear yard shall not be less than 25 feet and need not exceed 25 feet.

~~(2) Lot size.~~

~~a.~~ There shall be a lot width of a minimum of 50 feet at the building line.

~~b.~~ Every lot shall contain an area of not less than 6,000 square feet.

~~c.~~ Each mobile structure shall have, at minimum, two parking spaces per dwelling unit. All parking spaces and connected driveways shall be surfaced with a permanent dust-free paving.

~~(e) Special conditions.~~ The placement of a manufactured home, mobile home, house trailer, modular home or portable building, in the A-6 MS district requiring zoning approval shall be subject to the following special conditions or regulations:

~~(1) Permanent installation.~~ The mayor and city council, upon recommendation of the planning and zoning commission, may grant permission for the permanent installation of a manufactured home, mobile home, house trailer, modular home or portable building for

single family residences in a zoning district in which single family residences are permitted, provided that:

a. The structure is attached to and installed on a permanent foundation and the provisions of R.S. 9:1149.4, as amended from time to time, are complied with.

b. The structure is compatible, as defined herein, to surrounding site built housing on both sides of the street, all abutting property and/or property within 300 feet of the proposed site.

(2) Compatibility. "Compatibility" as defined herein shall mean that the manufactured home, mobile home, house trailer, modular home, or portable building shall have the same, similar or better exterior finish as the exterior finish of the average characteristics of the existing housing in the area where the proposed structure is to be placed.

Furthermore, the exterior materials shall be compatible with the surrounding housing on abutting property and/or within 300 feet of the proposed site.

(3) Notification and response. The applicant proposing to place a manufactured home, mobile home, house trailer, modular home or portable building on property within the city shall obtain and complete an "application for mobile structure permit." Upon completion, the application shall be submitted to the planning and zoning commission for review. The application shall be in the form as attached to the ordinance from which this section derives (Ordinance No. 3/98), which application, and instructions for the completion of the application, form part of that ordinance.

(4) Final inspection. The building inspector and/or the director of public works or their designated representative(s) shall inspect the proposed site and structure to verify that the applicant has met the following requirements, and shall certify to the commission, on a form whose contents are prescribed by the form attached to the ordinance from which this section derives (Ordinance No. 3/98), the following:

a. Mobile structure skirted.

b. Axle and tongue removed (if applicable).

c. Mobile structure tied down in accordance with applicable rules and regulations.

d. Mobile structure installed on permanent foundation.

e. Sewer connection made directly into municipal utility system.

f. Water connection made directly into municipal utility system.

g. Structure clear of all utility easements.

~~h. Parking spaces and driveway surfaced with a permanent dust free paving.~~

~~(5) *Petition of resident property owners.* Any applicant desiring to place a manufactured home, mobile home, house trailer, modular home or portable building on property within the city in addition to the application for mobile home structure permit, as described above, shall obtain from the building inspector a "petition of resident property owners", which petition shall be on a form as prescribed by that form attached to and made a part of the ordinance from which this section derives. The applicant shall obtain from the assessor's office a list of the names and addresses of the owners of all properties within 300 feet of the property on which the applicant proposes to locate such mobile structure, and shall contact such individuals and establish by their signature, that at least 75 percent of such owners have no objection to the mobile structure being placed on the lot as proposed by the applicant. Such petition shall be submitted to the planning and zoning commission, along with the application for mobile structure permit, as described above.~~

(Ord. No. 3/98, § II, 4-13-98)

City of Leesville

508 S. 5th Street

Draft Ordinance __ of 2024

An Ordinance to amend Section 74, Subsections 1, 31, 35, 40 and 45 and to add Subsection 21 and 22 revising the development in zones A-7, A-8, and A-9 only for manufactured homes, mobile homes, house trailers, modular homes or International Building Code approved tiny homes or portable buildings used for dwellings located on a separate lot which is owned by the occupant in the City Code of Ordinances for the City of Leesville.

WHEREAS the Mayor and City Council for the City of Leesville, in the best interest to the public, desires to amend Ordinance 74 revising and adding verbiage to Section 1, 31, 35, 40, and 45 and adding Section 21 and 22 to the City Code of Ordinances; and

WHEREAS the amended verbiage has been outlined herein as:

Any applicant desiring to place a manufactured home, mobile home, house trailer, modular home or International Building Code approved tiny homes or portable buildings on property zoned A-7, A-8, and A-9 within the city in addition to the application for mobile home structure permit, as described above, shall show proof of manufactured date being ten (10) years or newer and obtain from the planning department an application with the outlined requirements. The planning department shall obtain from the assessor's office a list of the names and addresses of the owners of all properties within 600 feet of the property on which the applicant proposes to locate such mobile structure, and shall contact by certified letter stating the proposed project and date, location, and time of its public hearing. The petitioner's application shall be submitted to the planning and zoning commission for recommendation to the city council to allow a conditional use permit for said development.

WHEREAS this ordinance was introduced on _____, 2024 during a regular meeting and after a public hearing on _____, 2024, this ordinance will be adopted on the same date during a regular meeting if no opposition.

THEREFORE, BE IT ORDAINED, that the Leesville City Council, hereby, adopt the revision to Section 74 of the Code of City Ordinances.

THUS, DONE AND ADOPTED on the ____ day of _____, 2024 during a regularly scheduled meeting by the City Council of the City of Leesville.

Moved by Councilmember _____ and seconded by Councilmember _____ with following roll call votes, to wit:

Councilmembers:

Chris Robertson_____

Willie Kennedy_____

Nicole Ybarra_____

Delaine P. Prewitt_____

Alice Guess_____

Phillip Hunt_____

Mayor Allen_____

ATTEST:

/s/Sonny Harrell
City Clerk

/s/Rick Allen
Mayor